

Honolulu, Hawaii

APR 28, 2006

RE: S.B. No. 3181
S.D. 2
H.D. 2
C.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3181, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SOLID WASTE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to improve recycling efforts in the State by amending parts of the Deposit Beverage Container Program.

This measure will:

- (1) Increase the volume limit on containers to equal to or less than sixty-eight fluid ounces;
- (2) Eliminate the requirement for deposit beverage distributors to distinguish each container's manufacture



location when calculating payment of fees for inventory reports and monthly reports;

- (3) Prohibit containers that do not meet the definition of container from indicating the Hawaii refund value;
- (4) Require redemption center dealers to operate each redemption center for a minimum of thirty hours a week, of which five hours shall be on a Saturday or Sunday;
- (5) Allow consumers to request that refund values be computed by container count for loads of two hundred containers or less;
- (6) Allow redemption center dealers to refuse to pay refund values on containers that exhibit characteristics of having been previously processed or baled;
- (7) Require redemption centers to physically receive the deposit beverage containers to receive handling fees from the Department of Health; and
- (8) Establish penalties and fines for individuals who intend to defraud the program through false or fraudulent reports or claims and divert levied fines to the Deposit Beverage Container Deposit Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Deleting the provision that would have required redemption center dealers to operate each redemption center for a minimum amount of time;
- (2) Making the measure effective upon its approval; and
- (3) Making technical, non-substantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3181, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3181, S.D. 2, H.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


HERMINA MORITA, Co-Chair


J. KALANI ENGLISH, Chair


ROBERT N. HERKES, Co-Chair

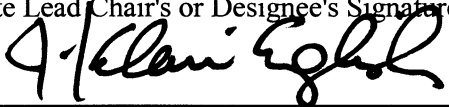


RON MENOR, Co-Chair


KYLE T. YAMASHITA, Co-Chair


BRIAN T. TANIGUCHI, Co-Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 3181, SD 2, HD 2					Date/Time: 4-28-2006 5:50p				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ENGLISH, J. Kalani, Chr.	✓				MORITA, Hermina M., Co-Chr.	✓			
MENOR, Ron, Co-Chr.				✓	HERKES, Robert N., Co-Chr.	✓			
TANIGUCHI, Brian, Co-Chr.	✓				YAMASHITA, Kyle T., Co-Chr.	✓			
ESPERO, Will	✓				THIELEN, Cynthia	✓			
HOGUE, Bob	✓								
TOTAL	4			1	TOTAL	4	-	-	-
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution:		Original	Yellow	Pink	Goldenrod				
		File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office	Drafting Agency				